ERIC Document Resume	See Instruction Sheet	DATE OF RESUME 7/9/65	DATE RECEIVED 7/6/65

A. PUBLICATION DATA

1. ERIC NUMBER	2. ORIGINATOR CONTROL NO(S).	3. IDENTIFICATION NO.	DO NOT WRITE IN SPACE BELOW
ED001587	N.A.	N.A.	

4. AUTHOR(S): California Fair Employment Practice Commission

5. TITLE OF DOCUMENT ABSTRACTED: Report on Oakland Schools: An investigation under Section 1421 of the California Labor Code of the Oakland Unified School District 1962-1963

6. PUBLICATION TITLE: N.A.

7. EDITOR(S): N.A.

8. PLACE OF ORIGIN: Department of Industrial Relations, State of California, California (ORG. / ST. / CITY, STATE)

9. PUBLISHER OR SOURCE: California Fair Employment Practice Commission State of California California

TELE. EXT. INST/LOC CODE

10. VOL.	11. PAGES	12. MO./YR.	13. TOTAL PP.
N.A.	N.A.	N.A.	32

MICROFILM COPY AVAILABLE: YES ☒ NO ☐

COPYRIGHT GRANTED: YES ☐ NO ☒

COPYRIGHT RELEASE FILED: YES ☐ NO ☐

TYPE OF REPORT: PROPOSAL ☐ IN-PROGRESS ☐ FINAL ☒ FOLLOW-UP ☐

OTHER ERIC REFERENCES:

ERIC SATELLITE CODE

B. INDEXING DATA

14. SUBJECT AREA

15. TYPE OF ENDEAVOR: report

16. INDEXING TERMS (6-12)

employment practices	teacher training	hiring teachers	racial attitudes
promotion opportunities	Negro teachers	teacher distribution	achievement potential
substitute teachers	Oriental teachers	integrated schools	student achievement
	Spanish-speaking teachers	school administrators	

17. ABSTRACT (MAX. 250 WORDS)

An investigation was carried out by the Fair Employment Practice Commission into the practices of the Oakland School District. Basic was the premise that any teacher or school administrator who abuses his trust by limiting the education of children - because of preconceived notions of what they can or cannot learn, based on their race, color, or ethnic origin - is doing a disservice to the community and is doing the children almost irreparable harm.

In a number of cases investigators found that key school personnel were convinced that Negro children were limited in their possible attainments. It appeared that Negro teachers were usually hired for jobs in predominantly Negro schools, and teachers with a Spanish surname were rarely hired. It was also clear that opportunities for minority-group teachers to obtain higher-level positions were fewer than for teachers of the majority group.

Based on these and other findings, the report of the investigation committee concluded with several recommendations: 1) Dismissal of any principal, counselor, or teacher whose educational approach to minority-group students is limited by prejudice as to their possible achievement; 2) An intensive program for all certified personnel of in-service training in human relations; 3) Hiring of teachers on merit, and assignment of minority-group teachers to all schools; 4) Equal promotional opportunity for all teachers; and 5) a conscientious effort to employ Spanish-surname teachers or others with a knowledge of conversational Spanish.

ERIC No.

18. SOURCE OF ABSTRACT

C. FUNDING DATA

19. SUPPORTING ORGANIZATION	20. DIVISION OR DEPT.	21. CONTRACT NO. / PROJECT NO.
	22. TOTAL COST OF PROJECT	
	23. DURATION OR PROJECT	U.S. Department of Health, Education, and Welfare Office of Education

000343

ED0015587

HARVARD GRADUATE SCHOOL OF EDUCATION
CENTER FOR RESEARCH & DEVELOPMENT
CAMBRIDGE, MASSACHUSETTS 02138

CALIFORNIA FAIR EMPLOYMENT PRACTICE COMMISSION

Oakland

Report on Oakland Schools

An investigation under Section 1421 of the California Labor Code of the

OAKLAND UNIFIED SCHOOL DISTRICT

1962-1963

CALIFORNIA FAIR EMPLOYMENT PRACTICE COMMISSION

REPRINTED BY PERMISSION
U. S. DEPARTMENT OF HEALTH, EDUCATION AND WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN PRINTED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

Report by

C. L. Dellums, Assigned Commissioner

Investigation by

Hugh Taylor, Staff Consultant

FAIR EMPLOYMENT PRACTICE COMMISSION

Carmen H. Warschaw, *Chairman*
Elton Brombacher, C. L. Dellums, John Anson Ford,
Louis Garcia, Clive Graham, Dwight R. Zook, *Commissioners*
Edward Howden, *Executive Officer*

DEPARTMENT OF INDUSTRIAL RELATIONS

Ernest B. Webb, *Director*

STATE OF CALIFORNIA

Edmund G. Brown, *Governor*

CONCLUSIONS AND RECOMMENDATIONS

Statement by Commissioner C. L. Dellums to members of the board, Oakland Unified School District, at a conference in Oakland, June 16, 1964

Our meeting today is for the purpose of discussing the report of the FEPC investigation of your district's practices, copies of which you have received.

Instructions to our investigator were to be fair and impartial in carrying out his fact-finding assignment. I believe you will agree with me that he followed those instructions to the letter. Now that the facts have been collected and analyzed, I am ready to place before you some positive steps that should be taken toward improving your practices.

It is a serious matter to violate the rights of people because of their race, religion, national origin, or ancestry. I believe that it is a mistake to treat such violations lightly. Our children, whose education is entrusted to the public schools, are this country's most important asset. Any teacher or school administrator who abuses his trust by limiting the education of children—because of preconceived notions of what they can or cannot learn, based on their race or ethnic origin—is doing a disservice to the community and is doing the children almost irreparable harm. This is an offense as serious as those written in our penal codes.

I believe that the Oakland Unified School District, and other school districts, should deal sternly with certificated personnel who act in a discriminatory way according to stereotyped ideas of what a child can achieve because of his race, color, religion, national origin, or ancestry. I recommend to you that hereafter if any principal, administrative head, counselor or teacher takes the position, either verbally or by his actions, that no Negro pupil in his school has the ability to qualify for a professional, technical or executive career, such a person is not fit to be entrusted with the education of Oakland's children, and should be dismissed.

ATTITUDES OF ADMINISTRATORS

You have personnel of this kind who are dealing with children and are shaping or mis-shaping their lives. An example is the counselor whose interview with our investigator is described in Section II of my report. He turned the pages of a pamphlet which pictures such occupations as factory executive, pharmacist, salesman for an oil company, engineer, store manager, tool designer, accountant, doctor and lawyer, and repeated: "We have no Negroes in this school who could qualify for these positions." And this is only one of a number of cases indicating that some key school personnel are convinced that Negroes are limited in their possible attainments.

Our investigation reveals that the attitudes of some administrators, principals and teachers leave much to be desired by way of according equal respect to all human beings without regard to their race, creed, or ancestry. I am therefore recommending an intensive program of in-service training to educate the educators. They must come to realize the interpersonal and intergroup problems the children have to live with in this world. They must be trained to understand minority-group children better, to appreciate their true qualities, and to accord them the dignity to which all children and adults are entitled.

I emphasize this recommendation because I feel that the offense of prejudging a whole group of children is more destructive to the community than any other imaginable act. A training program in human relations is sound educationally and will benefit the entire Oakland community.

As to the hiring and assignment of teachers, it appears that until very recently you hired Negro teachers for jobs in predominantly Negro schools, and you rarely hired any teachers of the Spanish-surname group. On the basis of the information available to us, teachers of Oriental descent appear to have been hired in more representative numbers.

It seems to me that the placing of Negro teachers in predominantly Negro schools indicates some prejudices about Negro teachers as well as about Negro students. My report indicates that there are school personnel who believe that Negro children are capable of only limited achievement. If Negro teachers are hired exclusively to educate these children, it appears that a similar belief is held about Negro teachers. The result, if such attitudes govern the decisions of authorities in a predominantly Negro school, is to create a situation of inferior educational opportunities which will be reflected in low morale and a failure to motivate the children to become qualified for the more exacting and more rewarding types of employment careers.

Therefore it is my conclusion that it would benefit both the pupils and the teachers who are members of minority groups if teachers were hired on the basis of merit to fill vacancies wherever they exist. I submit that it is unsound educationally, as well as contrary to equal employment rights, to place Negro teachers mainly in schools which are predominantly Negro, and that an administrative head who persists in this practice is unfit to be employed by the school district and should be dismissed.

Now let me turn to some other points in my report.

OPPORTUNITIES FOR PROMOTION

On the promotion of certificated personnel, it is all too clear that opportunities for minority-group teachers to obtain higher-level positions are slowed than for teachers of the majority group. I am aware that the school district recognizes this and has taken some positive steps to overcome it. I recommend that these steps be accelerated, as I believe that they will help to create an educational environment which will be healthy and will have a beneficial effect on human relations in the schools and in the community.

On substitute teachers, many people in the minority community believe that minority applicants for teaching positions are relegated to the substitute list before they are considered for hiring as regular faculty members. My report does not prove this, nor does it disprove it. I do contend, however, that 400 substitute teachers, of whom approximately 40 or 50 percent are members of minority groups, form a reservoir which should be tapped as a source of recruitment. I recommend that the school district make a conscientious effort to review the applications of these teachers at least once a year, to make certain that no well qualified applicant is bypassed.

On teachers in the Spanish-surname group, I am particularly distressed at their poor representation in the Oakland Unified School District. The report shows that there are only ten teachers of Spanish surname in all your elementary schools. The report also indicates that you have a substantial number of Spanish-surname pupils. You are now required to teach a foreign language in the elementary schools, and the selection of Spanish for this program would be wise for human relations reasons as well as because of California's Spanish and Mexican heritage and because the Spanish-surname group is the state's largest minority.

Nevertheless, we find that German or French is taught in some schools because there is no one capable of teaching conversational Spanish. The child who may speak only Spanish at home must struggle to learn English, which is foreign to him, as well as French or German, which also are foreign to him. Thus he is burdened with trying to learn and use two foreign languages. This is a very serious problem. To correct the situation, it seems to me that the district has an obligation to make certain that there are enough qualified teachers in each school to meet this special educational need. I recommend that you seek out teachers with ability in conversational Spanish for positions in every elementary school.

Finally, on non-teaching personnel, I do not believe that classified positions are as sensitive, in most instances, as the certificated positions. I do feel that employees who manifest racial or ethnic prejudice should not be placed in positions of authority. You will note from my report that your classified employment lags far behind your certificated employment in the representation of minority groups. Negroes have been limited almost entirely to janitorial and part-time school lunch positions. An awareness of this problem seems to have occurred, and it appears that corrective steps are being taken. I am asking you to pay serious attention to merit employment in your classified section. You should make certain that the people who do the hiring for these positions are free of prejudice and are committed to hire qualified persons without regard to race, color, religious creed, national origin, or ancestry.

SUMMARY OF RECOMMENDATIONS

In summary, my present recommendations to you are the following:

1. Dismissal, if necessary, of any principal, administrative head, counselor or teacher whose educational approach to minority-group students is limited by prejudice as to their possible achievement;

2. An intensive program for all certificated personnel of in-service training in human relations;

3. Hiring of teachers on merit, without regard to their race, creed, or ancestry; and assignment of minority-group teachers to all schools, avoiding any concentration in particular areas;

4. Equal promotional opportunities for all teachers, without regard to race, creed, or ancestry;

5. Use of the list of substitute teachers as a recruitment source;

6. A conscientious effort to employ Spanish-surname teachers or others with a knowledge of conversational Spanish;

7. Closer surveillance by the Board of hiring practices with respect to classified personnel.

We shall follow the usual FEPC procedure of review in six months to learn what changes have taken place in your district's practices.

REPORT OF OAKLAND UNIFIED SCHOOL DISTRICT INVESTIGATION

The Fair Employment Practice Commission authorized an investigation of the Oakland Unified School District June 4, 1962 under the provisions of Section 1421 of the California Labor Code, upon request made of the Commission by interested citizens and citizen groups. Chairman John Anson Ford of the Fair Employment Practice Commission assigned Commissioner C. L. Dellums to conduct the investigation. Mr. Donald K. Henry, Northern California Area Supervisor, assigned Consultant Hugh Taylor to assist Commissioner Dellums.

SCOPE OF THE INVESTIGATION

The City of Oakland, California, located in Alameda County, had, according to the 1960 census figures, a total population of 367,548. The census further states 83,618 of its residents were Negroes; 13,407 were other non-whites; 23,729 had Spanish surnames; and that 246,794 were Caucasians without Spanish surnames.

The public school needs of the City of Oakland are supplied by the Oakland Unified School District. To meet these needs the District operates a junior college with two campuses, 6 high schools, 16 junior high schools, 64 elementary schools. These schools are the subject of this investigation.

The Fair Employment Practice Act of the State of California is concerned with the individual's right to "seek, obtain, and hold employment without discrimination because of race, religious creed, color, national origin, or ancestry. . . ." Under Section 1421 of the act the Commission is empowered ". . . to prevent unlawful practices."

This investigation treats the school district as an employer and tries to determine to what extent, if any, the individual's right to "seek, obtain, and hold" employment with the district is affected by unlawful considerations of race, religious creed, color, national origin or ancestry. This report is further concerned with the product of the school district, i.e., the students. The school prepares students to "seek, obtain, and hold employment" along with its other duties. It is perhaps the principal institution in our society for shaping the occupational and professional lives of our young people; in recognition of that fact this report attempts to get a glimpse of the attitude of the school district toward youngsters in preparing them for the work-a-day world, and particularly toward minority youngsters.

The purpose of this investigation is, then, two-fold. (1) To review the district's role as an employer; (2) To study the district's attitude toward the minority group student and his preparation for an employment career.

SOME SPECIAL CONSIDERATIONS

Ordinarily, an investigation by the Fair Employment Practice Commission is not a public matter. The investigations are handled confi-

dentially and no information is imparted to the public. The names of respondents and complainants are not made public by Commission policy and the endeavors at conciliation are, by virtue of the Act itself, confidential. The Fair Employment Practice Act provides that a breach of this confidentiality as to endeavors at conciliation, is a misdemeanor and a cause for disciplinary action for civil service employees. The Commission may, however, permit revelation of certain aspects of a case to the public, when the case is of special public concern. Endeavors at conciliation, however, are never permitted to be revealed. In this case, the Oakland Unified School District matter has long been a public concern. This report is written with the understanding that it might be released in part or in full to the general public.

Another departure from the usual procedure in handling an investigation is worthy of mention. We are giving copies of this report to the School District at their request. The usual practice is not to give a copy of the report to the respondent but merely to discuss the investigation with the respondent.

METHOD OF CONDUCTING INVESTIGATION

At the outset of the investigation, the office of the superintendent of the school district and the district's board of education either knew very little or would admit very little about the racial composition of its employees. The district professed color blindness in regard to its teaching staff and in regard to its classified personnel. Under these circumstances it was felt that the most effective manner of conducting the investigation was to visit each school within the district. The assigned Commissioner's assistant was instructed to ascertain the total number of teachers employed in each school including the number of teachers of the Negro race, the number of teachers of Mexican-American background, and the number of teachers of the Oriental race. The investigator was instructed to solicit the help of the principal and other members of the school faculty to determine the approximate percentage of Negro, Mexican-American, Oriental, and Caucasian students within the school population. This investigation is but one of several hundred cases that the Commission is presently investigating with the assistance of staff. Because of the size of this investigation, certain priorities had to be given to it. A method was devised during the investigation for getting at those things that the Commissioner wanted in a minimum amount of time. The investigator devoted each Tuesday for one school year to this investigation. At the outset the investigator spent three hours at each school he visited. During this three hour period probationary teachers were interviewed; the purpose of interviewing them was to gain knowledge of their experiences as new employees. The school district has a stated policy that it is supposed to follow in the hiring of certificated employees. Interviews with probationary teachers, all of whom came into the system within the last three years, afforded an opportunity to determine to what degree the district followed its own hiring policy. These teachers were interviewed without regard to race, and as a result an excellent opportunity was afforded the investigator to compare the experiences of the Caucasian certificated staff members in getting their jobs with the experiences of the minority certificated staff members.

After the initial stages of the personal visits made by the investigator to each school, the investigator, having refined his interviewing techniques, was later able to visit six schools in one day; however, in the latter stages no effort was made to speak with the individual probationary teachers. New emphasis was placed upon the type of contact with each principal or other key faculty member. The Commissioner wished to leave with each principal a feeling that his school should become more concerned with the problems of merit employment, and with the problems of preparing all of its students for employment careers. Part of the task was to erase the color blindness of the district and to replace it with color consciousness. To accomplish this, a direct attack on color blindness was made. Questions were asked about the number of Negro teachers and the percentage of Negro students in the school population. The same questions were asked about Mexican-Americans and Orientals.

One principal, when asked what was the percentage of Negro children in the school population, answered "I don't know. Color means nothing to me, I only see people, never colors." "Oh come now," the investigator replied, "we seldom see a person without seeing his color. You are not asked for anything more than an estimate. Surely you must have some idea?" He answered in this manner. "We have forty-three Negro students, twelve Mexican-Americans, fourteen Orientals, and one American Indian."

In another instance, the principal when asked if he had any Negro teachers on his staff, insisted that he did not know. He stated that the policy of the school district was one of color blindness, and that he was color blind by virtue of his upbringing.

The roster of teachers was used to enable this principal to reflect on each teacher to find out if he really knew who was and who was not a Negro. He was asked if each teacher was a Negro. For the first few names he replied, "I don't believe so." Later on he began to reply, "No this teacher is not a Negro." Finally at a name near the end of the list . . . he was asked the usual question. "Is this teacher a Negro?" "No," he replied, "but her husband has about one-eighth Negro blood. You see he is from Hawaii, and his paternal grandfather's father migrated from Jamaica to Hawaii and he was a Negro."

ATTITUDE OF THE OAKLAND UNIFIED SCHOOL DISTRICT TOWARDS THE INVESTIGATION

When the Commission authorized the investigation under Section 1421 in June, 1962 the then Superintendent of the Oakland Schools, Mr. Selmer H. Berg, was retiring as of June 30, 1962, and a new Superintendent, Dr. Stuart S. Phillips, had been selected by the Oakland School Board to succeed him beginning July 1, 1962.

The changeover from one superintendent to another presented a problem to the assigned Commissioner and his investigator. Recognizing the need for a new superintendent to familiarize himself with the duties of his office, the Commissioner did not wish to impose upon him the additional burden of coping with the employment problems of minority groups until that superintendent had full control of his new office. To overcome this problem, the investigator had several conferences with Superintendent Phillips and members of his staff before any actual

work on the investigation was commenced. During these conferences, the ground rules for conducting the investigation were agreed upon. These agreements proved to be of assistance to the Fair Employment Practice Commission as well as to the Oakland Unified School District. The superintendent, acting upon the advice of the District Attorney of Alameda County, stated that he felt there should be no general survey of the personnel records. This was agreed to and followed. This report then is based entirely upon observation of the investigator, on material supplied by administration of the school district, and on information supplied by personnel from the various schools.

The attitude of the superintendent and his staff at the outset was one of general apprehension. There appeared to be distrust in some quarters, but as the investigation progressed any distrust that was noticed at first seemed to be dissipated. An atmosphere of cooperation, short in some cases of completeness, was created. The office of the superintendent itself became a significant ally in aiding the investigator to make his rounds of the various schools. Towards the end of the investigation it began to appear that there had occurred a complete relaxation of any tensions that might have existed. There was a noticeable desire, evidenced by almost all of the personnel contacted, to cooperate fully—to answer honestly—even when the answers were not favorable to the school district. In short, there appeared to be a desire on the part of the administration to face the problem squarely and honestly. There also appeared to be a desire to work towards improvement wherever it was determined that improvement was needed.

PROBLEMS INHERENT IN THE INVESTIGATION

In an investigation of an entire school district in a large community such as Oakland, sides tend to be chosen; one side finding everything wrong and the other side finding nothing wrong. The findings of each of these sides are often based on honest belief, and sometimes based upon blindness, but seldom upon thorough knowledge of that thing that they are upholding or that they are condemning.

The investigator realized that only through objective and unbiased observation of the school district could the facts relevant to this investigation's two-fold purpose be obtained. No conscious effort has been made to select from among the relevant facts.

The problem of de facto segregation, although related to employment practices and certainly related to attitude towards the students, was not entered into of itself and is touched hereupon only as it is relevant to the purposes of the Fair Employment Practice Act. Any in-depth studies of de facto segregation are left to others.

SECTION I

METHOD OF HIRING NEW TEACHERS

The Superintendent of the Oakland Unified School District is the chief executive officer. Under him are four Assistant Superintendents, the Business Manager, and the Director of Personnel. The Director of Personnel is the person through whom all initial applications for certificated positions must pass. After the application has passed through the Director of Personnel's office and been approved by him, a personal interview is set up with the office of the Assistant Superintendent of Elementary Schools if the applicant is for Elementary Schools, or with the office of the Assistant Superintendent of Secondary Schools if the applicant is seeking a secondary teaching position.

The Director of Personnel checks the application for form and for any obvious shortcomings in preparation, then passes it on to the office of the Assistant Superintendent involved. In the office of the Assistant Superintendent an interview is arranged for each teacher applicant and in addition to checking the stated qualifications, a subjective evaluation is made without the knowledge of the teacher applicant. Evaluation is made concerning the applicant's (1) knowledge of subject matter, (2) personality, (3) interest and enthusiasm, (4) general appearance, (5) voice and speech qualities, and (6) professional attitude. (See Appendix A) The applicant, in each one of these areas, is rated as outstanding, above average, average, or below average. In addition, there is a general rating of the applicant. If the applicant receives a general rating of average or better, he is then in a position to stand in line with his fellow competitors to be referred to any school where a vacancy exists.

The new teacher is hired by the Assistant Superintendent's office, and assigned by this office to the school where the vacancy exists. In no case does the principal of the school participate in the hiring procedure. However, there are instances where either a student teacher or a long term substitute who has worked at a particular school is recommended for hire by the principal; such teachers may be reassigned to the school where they did their substitute or practice teaching.

After the new teacher has been hired and assigned to a particular school, it becomes the responsibility of the principal to supervise the new teacher and to note his professional development and growth. It is the principal's evaluation of the teacher during the three year probationary period that determines whether the new teacher will become a tenured member of the teaching staff.

It is the principal's responsibility to acquaint the probationary teacher with all aspects of the probationary period. It is also the principal's duty to render whatever assistance appears necessary and to familiarize the new teacher with the *Guide for Evaluation and Improvement of Professional Services.* This is a booklet developed by a group of teachers and administrators of the Oakland Unified School District. It is designed as an aid in analyzing the strength and weak-

ness of the teacher. It has been accepted by the Superintendent for use in all of the schools. The principal makes suggestions for improvement wherever they are needed. The new teacher is completely dependent upon the leadership provided by the principal; the principal in turn is governed by the *Guide for Evaluation and Improvement of Professional Services* prescribed by the Oakland School District. The new teacher must be evaluated by the second Thursday of each January; by the fourth Monday of each April, if unsatisfactory; and by the second Thursday of each May, if satisfactory. The school district has set definite and ascertainable minimum standards of attainment for the probationary teacher. The first year teacher is allowed to perform at a lower level than the second year teacher who in turn is allowed to perform at a lower level than a third year teacher. (See Appendix B) To gain tenure the probationary teacher at the end of the third year must perform at each level listed on the evaluation chart with a satisfactory rating. Above this rating there are ratings of very satisfactory and superior. The new teacher at the time that each evaluation of his performance is made is to have a conference with the principal. The rules regulating this conference as stated in the Guide require that "a principal's attitude should be constructive in his analysis of a teacher, frank and honest." The District further requires that "unsatisfactory teachers must not be given the impression on their probationary report that their teaching is of acceptable quality." Prior to the conference with the probationary teacher, the principal visits the teacher's classroom and observes the teacher in an actual classroom situation. Most principals state that they make several visits in order to observe the teacher over a period of time. They also report that the teacher is usually informed in advance of the visits, and of the purpose of the visits.

The principal is required to confer with the new teacher about the evaluation and to point out the meaning of the evaluation procedure. The new teacher is hired as probationary and must serve a satisfactory three year probationary period before obtaining permanent tenure. The principal's evaluation is submitted to the Assistant Superintendent in charge of his school and the Assistant Superintendent in turn presents it to the Superintendent with his recommendation as to whether the new teacher is to be retained after the completion of the three year probationary period. The final action is taken by the Board of Education of the School District. After the teacher has gained permanent status he is then rated by the school principal every five years or at such other times as warranted.

RECRUITMENT OF TEACHERS

For the 1962-1963 school year with which this report is basically concerned, there were 318 new teachers hired by the Oakland Unified School District. These 318 were chosen from among 3,325 applicants. There are 119 elementary teachers, 128 secondary teachers, 22 city college teachers and 49 special field teachers. The ratio of applicants to hires is roughly 10 to 1. The Oakland School District, in order to have such a wide field to select from, has found it necessary to send recruitment teams from the Superintendent's office to a number of states and to a number of preferred schools within those states. In other instances the District makes only written contacts with certain out-of-state

schools. For the hiring in the fall of 1962, the School District sent its recruitment team to 23 universities located in 10 states and made written contact with 12 other schools. The District also received applications from 26 schools located in 18 states with which the District made no personal or written contact. In addition to the out-of-state recruitment, the major recruitment sources for the Oakland School District are the colleges located within the State of California. There are 22 colleges in the state that were a source of teacher recruitment in the fall of 1962. The California Teachers Association, and the Kemp Agency were still other sources of recruitment. From these sources, the district recruited 209 of the 318 new teachers employed. (In addition, 23 former Oakland teachers were rehired; 22 teachers who were contacted directly by the administrative staff and 64 of those who applied directly were hired.) (See Appendix C) The states that the teachers were recruited from were principally Western, Middle Western, and Eastern states. In no instance was there a personal contact with a school located in the Southern part of the United States, which would seem to indicate that teachers from this region are not as sought after as teachers from the other regions of the United States. There are, however, five Southern states, Florida, Georgia, Louisiana, Oklahoma, and Texas, which have schools that furnish applicants to the Oakland district and most of these schools in the southern states appear to be schools with predominantly Negro student bodies. The school district makes no personal or written contact with any of the southern schools but the schools serve as a source for new applications with the initiative being provided by each of the southern schools rather than by the Oakland School District itself.

EVALUATION OF HIRING PROCEDURE

The experience of Commissioner Dellums and his assistant in investigating the hiring procedure indicates that the school district does follow its stated rules for hiring new teachers. Many probationary teachers were interviewed; all had similar experiences in getting hired. All appear to have gone through the same procedure with the Director of Personnel and later in the oral interview. Each new teacher had been informed of the probationary teacher evaluation procedures. Every teacher interviewed had been evaluated at least once or had held a conference with the principal prior to the evaluation. Each teacher seemed to have had a reasonable understanding of his performance and what was expected of him.

With 3,325 applicants for 318 positions, it would be difficult to sustain a charge of discrimination in hiring against the School District. This is true because there are roughly 10 applicants for each vacancy; several of these applicants could probably be defended as the best available applicant.

The Oakland Unified School District considers several factors in selecting staff members. One of the factors is age; others are sex, degrees held and years of teaching experience. (See Appendix D) The District consciously seeks diversification in these areas. While the Commissioner does not advocate that the school district hire teachers according to race, he certainly does advocate that some method be found to insure that minority group applicants are employed and assigned on the same basis as other teachers. The Commissioner is advocating a kind of color

consciousness which would make certain that teachers from all racial and national groups would be selected when qualified and for any position at any school.

PLACEMENT OF MINORITY GROUP TEACHERS

There is some suspicion on the part of the Negro community and others that Negro teachers and other minority group teachers are assigned to predominately Negro schools. For the purpose of determining where the minority group teachers are assigned, this report will follow the practice of labeling schools enrolling 75% or more Negro students as predominantly Negro; and schools enrolling 75% or more Caucasian students as predominantly Caucasian; and schools enrolling less than 75% Negroes or Caucasians as racially mixed.

In Appendix E it can be seen that of 1,158 teachers in the elementary schools, 164 are Negro, 10 have Spanish surnames, and 54 are Oriental. At the elementary level, 78.1% of the Negro teachers are at predominantly Negro schools; 1.2% of the Negro teachers are at predominantly Caucasian schools; and 20.7% of the Negro teachers are teaching at racially mixed schools. According to the *Report on the Oakland School District to the U. S. Civil Rights Commission* by Ira Michael Heyman, there are 16 predominantly Negro schools, 21 mixed schools and 27 Caucasian schools. Of the 164 Negro teachers in elementary schools, 98.8% are teaching in 37 schools and are practically excluded from 27 schools. Of the Oriental teachers, 21, or 38.9% are at predominantly Negro schools; 9, or 16.7%, are at predominantly Caucasian schools; and 24, or 44.4% are at racially mixed schools. Of the Spanish surname teachers, 30% are located at predominantly Negro schools and 70% are at racially mixed schools.

Of the 105 Negro teachers in the junior high schools, 63, or 60%, are teaching at predominantly Negro schools; 3, or 2.8% are teaching at predominantly Caucasian schools; and 39, or 37%, are teaching at racially mixed schools.

In the senior high schools, 18 Negro teachers or 41% are assigned to predominantly Negro schools; 10, or 22.7%, are assigned to predominantly Caucasian schools; and 16, or 36.3%, are assigned to racially mixed schools.

Of the Spanish surname teachers at the high school level none are assigned to Negro schools; 6, or 75%, are assigned to Caucasian schools; and 2, or 25%, are assigned to racially mixed schools.

Of the Oriental teachers in high schools 1, or 9.1%, are assigned to Negro schools; 6, or 54.5%, are assigned to Caucasian schools; and 4, or 36.4%, are assigned to racially mixed schools.

Two hundred and nine or 66.8% of the Negro teachers are assigned to predominantly Negro schools; 15, or 4.8%, are assigned to predominantly Caucasian schools and 89, or 38.4%, are assigned to racially mixed schools.

It clearly appears that Negro teachers have heretofore been assigned to schools with a large number of Negroes in the student body and were not considered on an equal basis for schools without a significant number of Negroes in the student body. An inescapable conclusion, it seems, would be that Negro teachers are hired principally to fill vacancies in Negro schools. This practice would certainly not be in keep-

ing with the schools' stated policies of merit hiring and non-discriminatory assignment, not to mention the Fair Employment Practice Act.

The School District is engaged in the process of reevaluating this practice and apparently plans to do something about it. It appears that if the district ever thought that Negro teachers were more capable of teaching Negro students than they are of teaching Caucasian students, this notion has been dispelled by the experiences that the district has had with some of its Negro teachers. The investigator found some Negro teachers who resented teaching Negro children. The School Board has also had this experience. There are some Caucasian teachers who prefer teaching in predominant Negro schools. It also is apparent, among some Negro as well as some Caucasian teachers, that teaching in the hill schools is regarded as a status symbol.

As a general rule, however, the great majority of teachers, whatever their color or ethnic grouping, seem to become attached to the school where they are assigned. They develop emotional ties to its program, and to its children regardless of race or neighborhood. Most teachers state that they have no desire to be transferred to another school, even to one in the neighborhood in which they live.

One noticeable aspect of the racial and ethnic composition of the Oakland teaching staff is a very small number of Spanish surname teachers, there being but 35 in the entire school system. One result of this is that with the new foreign language teaching requirement for elementary schools, and with Oakland's 68 elementary schools having only 10 teachers with Spanish backgrounds, a ready made recruitment source for teachers of conversational Spanish is untapped. To fulfill the foreign language requirement, the principal determines the language that will be taught in his school not on the basis of which language is desirable but on the basis of the language knowledge of his faculty members. This leads, in some cases, to Spanish speaking children being required to struggle not only with English, but also with German or French, as well as their own Spanish language. A perhaps sadder result is that the non-Spanish speaking students are denied a chance to learn a language which might enable them to relate better to their often ostracized classmate—the Spanish speaking child.

THE SUBSTITUTE TEACHER

The Oakland Unified School District has approximately 400 substitute teachers. A substitute teacher, like a regular teacher, is one who has received his credentials from the State Department of Education and is eligible to teach at the elementary or secondary level according to the nature of his credential. Every school district has a reservoir of credentialed teachers living in or near its area that can be called upon in an emergency to fill a classroom position in the absence of a regular teacher. Many substitute teachers are substitutes because they prefer this as a means of supplementing the family income and do not wish to be considered for full time teaching positions. Other substitute teachers are active applicants for regular teaching positions, but limit their applications to one or two school districts because of their desire to live in a certain community and thereby also limit their chances for regular employment. Still another group of substitute teachers are substitutes because in the judgment of the school districts where they apply they are marginal applicants.

The substitute teachers may be hired on a day-to-day basis or they may be given a long term substitute job filling in for a teacher who may be absent for several months or even an entire school year. The school district, in selecting a long term substitute, usually applies the same evaluation procedure to this type of substitute as the district would apply to a teacher for a regular appointment. The teacher who is hired on a day-to-day basis is very often a teacher who is not likely to receive long term substitute work and who is not likely to receive a permanent appointment with the district.

Not much factual information is known about the racial composition of these teachers. The school district itself would have a difficult time in determining the racial composition of this group. However, some insight can be gained as to who they are by determining how frequently teachers of different races turn up at a particular school during a given year on a substitute basis. Almost every school in Oakland, whether it has Negroes on the faculty or not, states that it has had some Negroes fill in as short term substitutes and a few schools report that the majority of their substitutes have been Negro. Almost all of the schools indicate that a good portion of their substitutes has been Negro. It seems a fair estimate that from 40 to 50% of the substitute teachers in the Oakland Unified School District is of the Negro race. This is a very rough estimate; it is believed to be accurate; but there is no statistical information to verify it.

One of the suspicions of the Negro substitutes and of many people interested in the employment of minority group teachers, is that most Negro applicants are relegated to the substitute work and must prove their classroom ability in this manner before they are eligible to be considered for hire on a regular basis. This belief is widespread.

There is no way to determine whether the suspicion is justified or not; questions put to the administration on this problem were met with a denial. In dealing with the suspicion regarding the placing of Negroes on the substitute list, another aspect is worthy of consideration. As previously stated, the school district, in recruiting teachers, has a preferred list of schools which are located in the West, the Middle West, and the Eastern part of the United States. The schools in the Southern part of the United States are for the most part not included on the preferred list of schools. It appears that many of the Negro teachers are graduates of predominantly Negro schools in the South. Most, if not all, of these schools are substandard by comparison with the schools on the district's preferred list. The administration will not admit that they regard the training of these teachers as inferior to that of teachers from the preferred schools but such a determination would seem inevitable and might even be justifiable. Further, these teachers whose training has been in the Southern schools that are predominantly Negro more often meet rejection on the subjective evaluation than the other teachers. In other words, during the oral interview where the teacher applicant is being subjectively evaluated without his knowledge, the item of "voice and speech qualities" is more likely to trip up the Negro applicant from Southern schools than it is an applicant from the preferred list of schools. Caucasian applicants from Southern schools would, of course, have the same problem. But the Caucasian applicant from the South constitutes a rather insignificant percentage of the total number of Caucasian appli-

cants. In the matter of "voice and speech qualities" the strong regional accent is regarded as disqualifying for the elementary school system. It then is apparent that some Negro applicants would be disqualified because of "voice and speech qualities" if they have attended a predominantly Negro school in the Southern part of the United States, and if they speak with a strong or noticeable regional accent. It is also apparent that even without the regional accent an applicant from one of these schools does not on the face of the application appear to have received as good a training as an applicant from the schools on the preferred list.

It is possible then for the Negro applicant to be unsuccessful more often than the Caucasian applicant without the element of discrimination being a factor. The teacher who is not qualified for regular employment because of "voice and speech qualities" may be used on a short term substitute basis and in some instances can overcome the "voice and speech" difficulties and be eligible for hire on a regular basis at some later date. This then would appear to indicate that an inordinate number of Negro applicants could become substitutes without the District consciously planning to make them prove their worth before being hired, or without the District practicing discrimination in hiring.

Another factor to be considered which might affect the Negro applicant more than the non-Negro applicant, is the choice of the community in which the applicant wishes to live. Most new teachers who are seeking employment will apply to many school districts located in rural as well as urban areas. Quite often the Negro applicant decides that he would like to live in a certain urban area and applies only to school districts near the community where he chooses to live. This choice is often made because of knowledge or belief that they will find more discrimination in some areas than in others. The chances of being hired when such a restriction is made are much less than when the teacher is willing to go wherever the job exists. It must be remembered that each teacher is roughly one of ten applicants seeking the same vacancy and if a teacher restricts his place of employment then that applicant is more likely to be unemployed or relegated to the substitute teaching list than the applicant who does not place restrictions on areas where he is willing to accept employment.

Another factor contributing to the higher percentage of Negroes on the substitute list than on the regular faculty is probably the issue of discrimination in hiring. Discrimination can be subtle and can be carried on without the administration consciously realizing that it *is* discriminating. The section of this report that deals with the assignment of Negro teachers indicates that 66.8% are assigned to predominantly Negro schools. This in effect leads to the inevitable conclusion that the Negro teachers have primarily been hired to teach Negro students and that the non-Negro teachers, especially the Caucasian ones, have been hired on the basis of merit to fill vacancies wherever they exist. This conclusion must follow, unless it could be demonstrated that each time a Negro teacher is hired the vacancy just happens to be in a predominantly Negro school, or perhaps in a racially mixed school. It does not seem that this could be true; therefore, discrimination in placement must be considered as one of the reasons

that Negroes constitute a larger percentage of the substitute teaching list than they constitute of the regular faculty.

ADMINISTRATIVE PERSONNEL

This section will consider administrative personnel who are defined as Principals, Vice Principals, Guidance and Attendance Personnel, Special Education Personnel, Health Personnel and Counselors.

Principals, Vice Principals and Acting Vice Principals	*Total Number of Employees (as of September 1962)*	*Negro Employees*
Elementary Schools	83	3
Junior High Schools	34	2
Senior High Schools	17	0
TOTAL	134	5

Special Education Personnel	*Total Number of Employees*	*Negro Employees*
Speech Therapists	21	0
Partially Seeing Teachers	3	0
Full-time Hospital, Home Inst.	6	0
Part-time Hospital, Home Inst.	15	0
Audiometricists	3	0
TOTAL	48	0
Health Personnel (Total)	50	2
Counselors		
Senior High Schools	33	4
Junior High Schools	52	11
TOTAL	85	15
Guidance and Attendance		
Guidance Teachers	11	0
Attendance	7	0
TOTAL	18	0
GRAND TOTAL	335	22

The above table seems to indicate that promotion for Negro teachers occurs at a slower rate. Since this investigation has been underway there have been promotions made which are not reflected in the figures given in this report. The implication is not necessarily to be drawn that any changes that have occurred have been as a result of this investigation or any other pressures. It is true, however, that as the administration loses its "color blindness" and replaces it with a "color consciousness," increased efforts are made to make certain that promotions also are based on merit. The District's consciousness of color has developed noticeably during the period of this investigation.

The position of Principal is the position that most of the aspiring teachers who have received their administrative credentials seek. The method of selecting Principals in the past is not quite clear. More than one school Principal has stated that teachers of physical education and coaches of the athletic teams seem to have been the preferred candidates for administrative positions. There are enough ex-physical education teachers and coaches who are now Principals to lend credence, if not proof, to this belief.

Some of the Negro teachers who aspire to become administrators state that they have felt Negro teachers were sought for predominantly Negro schools, but that Negro Principals were not desired even in these schools. There appear to be many Negro teachers who are outstanding

or nearly outstanding in the performance of their duties, and who would make excellent administrators. In talking with some of these teachers, one gets the feeling that they have lost some of their defeatist attitude and now feel that with proper preparation and timely application, like any other teacher, they will have a chance to be promoted to administrative positions.

Some of the heretofore defeatist attitude of the Negro teachers may be due in some ways to their own thinking, but in a very significant sense the District is also responsible, for until June, 1963 there was but one Negro Principal. Even the Administration Building, which contains some 200 employees, had only two Negroes working there, and they were clerks. A situation like this was bound to encourage negative thinking on the part of Negro teachers.

SECTION II

RACIAL ATTITUDES

start here

One of the Commissioner's prime concerns in looking at the Oakland Unified School District is to determine, where possible, what kinds of attitudes are held by the Principal and faculty members in each school toward the Negro, Mexican-American and Oriental students as well as towards the Caucasians—other than Mexican-Americans.

Most Principals who have had experience with Spanish-surname students, other Caucasians, Negroes, and Orientals, have stated that the Oriental students appear to be the top achievers scholastically. Oriental students are followed very closely by Caucasians (other than Spanish-surname). Spanish-surname and Negro students are said to be the lowest achievers. There are some who state that the male members of the Spanish surname group are absolutely the lowest achievers in the school. Some of the faculty members point out that Oriental students identify with Caucasian students (other than Spanish-surname), while the Negro students and Spanish-surname students were "loners" in most instances, but on occasion would identify with each other.

These observations have been made by many of the faculty members. It is taken that these are facts which are not subject to dispute. But in looking at the attitude of the school personnel towards the student body, it was noted that the attitudes toward the Negro student varied in accordance with the type of school, i.e., racially mixed, predominantly Negro, and predominantly Caucasian. They are therefore considered separately.

PREDOMINANTLY NEGRO SCHOOLS

In one predominantly Negro elementary school the investigator spoke with the vice principal. There was general conversation about attitudes towards the Negroes until the vice principal felt free to give his views. He said: "We cannot have the students meet very often in assembly where all of the students are present, and we must limit the number of school activities that would require a large attendance by the student body, such as theatrical productions." The reason, he said, for this was that Negro students in assembly get "fever." He went on to inform the investigator that Negro students vent their feelings "in fearful ways." He explained that if they had a play and did not like it they would clap their hands or stomp their feet or hiss and boo. The investigator replied, "Just as white students do, is that correct?" His answer was, yes. He felt that his duty as a school administrator was in a large part discharged if he could maintain discipline among the student body. Discipline rated a high priority over educational achievement.

At another predominantly Negro school, a junior high, the investigator spoke with the vice principal. The investigator's notes are as follows: "One gets the impression from her that the concern for the children is very shallow." For example, she spoke of a play that was

being produced by the school. "What is the name of the play?" asked the investigator. "I don't know," she replied. The investigator asked her to ascertain the name of the play which she did. It was a play by the name of *Silver Secret*. The investigator asked who was the author. She replied, "I don't know." The investigator felt she did not care.

At a predominantly Negro junior high school, which the investigator visited during the time of the Birmingham civil rights demonstrations, the investigator asked the principal if he had any special concern about what the Negro students were thinking and feeling. The principal replied to the effect that he did have special concern but there was no special problem due to race. He felt that the Negro students were thinking and feeling the same as any other student in the school district. When it was pointed out that on the day prior to the visit to that school, Birmingham had become known throughout the world and that this might be of special concern to the Negro student, if not all the students, and that the Negro students were likely to feel different from white students about the situation, the principal defended his position by stating that the attitudes of the predominantly Negro sudent body at his school were the same as they had always been and that there was no concern for Birmingham. The investigator accompanied the principal to the cafeteria where they were joined by several faculty members of the school, some of whom were Negroes. The same question was asked of the faculty members that was asked of the principal. A Negro faculty member replied that feelings were running very high among the students. No effort was being made by the school to deal with their feelings or the problems of Birmingham or the race problem and the school was acting as though the problem did not exist. All of the teachers had strong feelings on this point; the principal nevertheless retained his position that the feeling was no different from any other day, and that race or the problem due to race was of no concern to the student body or to the school.

In a predominantly Negro high school, the principal was almost completely discipline oriented. There were student patrols on duty keeping order in the hallways. A large part of the concern of the principal and some of the faculty members was the type of dress that the students wore to school. In each of these instances the principal spoke with pride about the fact that his school had fewer broken windows than other schools and the wearing apparel of the students was, at least according to his standards, a little less outlandish than it was at other high schools. The concern about discipline being noted, it was asked if there was equal concern for the achievement of the students. The answer was positive. The achievement of the students was spoken of entirely in athletic terms. The principal spoke very glowingly of the athletes who have come from his school. When asked what percentage of the students went on to college he replied that the percentage was very small. The principal indicated that only two graduates of his high school at that time were in the University of California.

The principal went on to relate that this school, unlike the other high schools, did not have a drama group and they had staged no theatrical events. The reasons given for the lack of programming in this area were vague and finally came down to the fact that Negro students have a special accent and are not suited for stage work. However, it was

pointed out by the principal that dance meant much to the students and that their senior class prom dance was being conducted as a formal affair at a very good hotel.

At each predominantly Negro school that was visited, the investigator asked the principal to introduce him to any Negro teacher that the principal felt was doing a very good job. Almost invariably, this Negro teacher turned out to be a strict and harsh disciplinarian. Several Negro teachers in this category had such strong feelings about Negro students that their feelings amounted to hostility. In each instance, when asked, they would reply that keeping order in school was the prime job of the school. These were teachers who were very critical of the Negro students and who took it upon themselves to criticize dress and behavior as their prime role as a faculty member. In almost all of the predominantly Negro schools, the principals state that there is less destruction done to their physical plant or to the cars of the teachers than in the predominantly white schools.

Principals (at the predominantly Negro schools) tend to justify every condition that exists in their school as being the best possible condition for any school anywhere. They were never critical of anything concerning their school or its activities. At the racially mixed and predominantly Caucasian schools, on the other hand, the principals would talk about any inadequacies they had. And they talked of plans for making improvements. Not so at the predominantly Negro schools; everything, they insisted, was all right. For example, at one predominantly Negro elementary school which had no lunch facilities the principal stated that this was not a handicap. He was then asked if free lunches were provided for the needy children in his school. He answered that they were not. Did he have needy children? He did. What, if anything, was done for the children? The principal stated several of the teachers would bring an extra sandwich or piece of fruit for these children. The principal not only felt that this was adequate, but defended it as the best way of handling the problem. Hot lunch facilities and free lunch for needy children are provided for most schools, including the predominantly Caucasian schools in the higher socio-economic neighborhoods. Those principals who have this program state that the lunch program is almost a necessity for operating a school.

RACIALLY MIXED SCHOOLS

At a racially mixed high school the investigator, in trying to determine the school's attitude towards the Negro student, asked the head counselor, "Do you feel that Negro students have a special problem that white students do not have in regard to employment?" The counselor answered he did not feel that Negroes had a different problem. The counselor was asked if he knew what the Kiwanis Club was and he answered, yes. The counselor was asked if he used the Kiwanis Club to assist students who had difficulties determining what they were going to do, he answered that he did. The counselor was asked if he knew what the Rotary Club was and if he used it, his answer was yes. He was also asked if he knew what the functions of the Fair Employment Practice Commission were; his answer was no. The counselor was not familiar with the Urban League. He stated that his duties, as he saw them, were to help students who had attendance problems, to help students who had a problem deciding

on occupation, and to help in the selection of a school program. He was then asked if the student felt that because of his race his employment opportunities were limited, would the knowledge of any agencies, private or public, that dealt with this problem assist the counselor in performing his duties? The counselor answered that it would not because he would not give any special consideration to Negroes or any other group; that he would give them the same consideration that he gave to the white student. He was asked if their problem was different from the white students, would he still give the Negro student the same advice that he gave the white student. He answered that he would, because he did not believe in singling out any special group and giving them any special treatment. The investigator asked if a student felt that there was no use for his acquiring a useful occupation because of his race, would the counselor feel it his duty to tell the student that the State, being interested in the welfare of all of its citizens, had enacted laws to prohibit discrimination in employment? The counselor answered that he did not see how he could do anything for a Negro student because of any special problems he had. The investigator placed before the counselor a booklet published by the Fair Employment Practice Commission entitled *Success Story*. The investigator asked if such a pamphlet would be of any assistance to the counselor. The pamphlet stresses the value of education, the value of school, encourages the student to make career plans while in school, and shows a number of minority group people in various jobs indicating the rewards of educational achievement and training. The counselor turned the pages himself and seeing a photograph of a Negro executive with the title of "Asst. Chief, Advance Projects," stated "We have no Negroes in this school who could ever do this job." He then looked at the picture of a group of pharmacists, one of whom was a Negro, and stated that: "We have no Negro students who could qualify for this type of position." Also pictured was a Negro girl operating a tabulator; he stated: "We probably have a girl or two who might be able to do this job." A picture of a salesman for an oil company was shown in the pamphlet; the counselor felt they had no Negroes in that school who could ever hold that position. Subsequently he eliminated engineering, store managers, tool designers, accountants, doctors and lawyers as occupations requiring skills which none of the Negro students in his school could acquire. He allowed that they might make clerk-typists, automobile salesmen, social workers and, perhaps, teachers.

This man was the head counselor at a racially mixed high school that had more than 1,000 Negro students at the time he made these statements.

The head counselor at another racially mixed high school was interviewed and asked about his knowledge of the Fair Employment Practice Act and the Urban League. He had no knowledge of either. He readily confessed that he had no knowledge of the Negro community or any of the resources available in the Negro community for aiding the Negro child. He was aware of the resources in the white community for aiding the children of the community and he was not certain that all of those resources were available to the Negro student in the same manner in which they were available to the white student. This again was a racially mixed school with a large number of Negro students.

The investigator found a completely different situation at another racially mixed high school. At this school, some of its personnel are so outstanding in the work they are doing that the Commissioner feels that he should identify the school and some of its personnel. At Oakland High School, which has about 20% Negro student population, 10% Oriental student population and 5% Mexican-American student population, the Commissioner found the Principal, Paul Pinckley, assisted by two outstanding teachers, Mr. Pete Lee and Mr. Heinz Gewing, squarely facing the race problem. The principal saw the value of having teachers of all racial and ethnic groups, specifically saw the need for more Negro teachers, and had sought them out. He had expressed his concern over the lack of Negro teachers in his school when he had none. The student body president of the school was a Negro at that time. The school personnel knew of the Fair Employment Practice Act; they knew of resources within the Negro community as well as within the white community; the two teachers, Messrs. Lee and Gewing, had started an interracial club among the student body. The club was encouraged to consider problems due to race; it was reported that they tackled these problems honestly and forthrightly, and that the club provided an outlet for pent up feelings within the student body. The problems of self-segregation that Negro students often impose upon themselves in the cafeteria, in the classroom, at school dances, and at other school functions was also a subject matter. The club would talk about the desirability of having an interracial school staff and would consider the matter of discrimination in employment and housing. They discussed the racial explosions that were taking place throughout the United States. This type of student activity contrasts significantly with the only form of student activity reported by another school. At another high school with a racially mixed student body, the principal states that most of the high schools have student fraternal organizations. He reports that these fraternities are sanctioned by the schools. They cannot hold meetings on school property. They only accept white students as members. The non-white and the poorer whites, who are also excluded, are labeled as "hondos," meaning they are inferior.

In the racially mixed elementary schools, the principals of the schools seemed to have been more aware of the Negro problem than they were in either the predominantly Negro schools or the predominantly Caucasian schools. Most racially mixed schools that are located in East Oakland are in a community that is in the process of transition from a predominantly Caucasian population to a racially mixed one. The school population in these neighborhoods is also changing from predominantly Caucasian to racially mixed, or perhaps in the near future, to a predominantly Negro student body. In most cases, the Negro enrollment in these schools has occurred within the last three to five years. Many of the principals expressed an awareness of the problem the Negro families were having in the area. Many principals were in contact with the whites in the community who were having adjustment problems of their own. One school principal had personally paid a visit to the home of each new Negro family in his area and had welcomed the families to the area and welcomed their children to his school. He had shown interest in their problems. He made himself available for assistance wherever needed and whenever possible. Almost all of the

principals in these types of schools expressed a desire to have Negroes as teachers on their faculty, and many stated that they had expressed this desire to the administration. Some of the school principals are rather fumbling in their logic. One stated that he felt he needed Negro teachers because the population was changing from predominantly Caucasian to now more than half Negro. He felt that the Negro teachers who came into the schools should be more outstanding than the Caucasian teachers. He felt that this was necessary so that they could pave the way for other teachers of their race. In the racially mixed schools there seemed to be more honest concern for the problems occasioned by race than in the predominantly Negro or predominantly white schools. There were those who felt that the problem did not need to be considered at all, at least from the Negroes' point of view. One principal stated that the colored people are happy and everything is going along just fine. This same principal stated that she had no idea how the heretofore predominantly white community was accepting Negroes into the community and whether there were any problems concerning the school in this respect.

In most of these racially mixed schools the principals, in talking about the achievement of the Negro and Mexican-American students, did not paint as dismal a picture of their achievements as was painted in the predominantly Negro schools.

PREDOMINANTLY CAUCASIAN SCHOOLS

The predominantly Caucasian schools are for the most part located in the higher socio-economic neighborhoods in Oakland and generally these neighborhoods are in the hill sections of Oakland.

The attitudes in these schools towards the students is one of total concern, and every effort is made to involve the community in the school program wherever possible. The concern for the Negro students as Negroes is not much of a problem in that there is only a token number of Negro students at any one of these schools. At the predominantly Caucasian high school, the faculty is more racially mixed than in some of the racially mixed high schools. There are Negro, Spanish-surname and Oriental extraction teachers on the faculty. The principal reports that there has never been a complaint from the community about either the race of the teachers or the race of the students. It will be noted that even though this is a predominantly Caucasian school, there are approximately 12 Negro students out of a student body of almost 1,800. It is also of note that of 81 faculty members; 3 are Negroes. The students at this high school are the highest achievers in the city. 95% of the tenth grade is headed for college; 75% of the eleventh grade is headed for college; and 65% of the twelfth grade is headed for college. The students in this school, according to the principal, having a median I.Q. of 112 as opposed to the median I.Q. in the predominantly Negro high school of 82, according to the principal of that high school.

This school reaches out to the community perhaps more than any other high school in the city and in return the community responds more readily than any other community responds to its high school. The school's theatre is used for neighborhood theatrical productions and is used for theatrical productions of the school itself. The school has a boosters club which is composed of fathers of the students. This club sponsors fund raising events for the school. This club involves it-

self in lobbying for facilities such as swimming pools for the school, as well as for a swimming pool for the only other high school in the community without one on its grounds. The other school is a predominantly Negro high school. The principal of this school in speaking about the school's Negro students, states that their academic achievement level is the same as that of the white students.

A predominantly Caucasian junior high school that has about 12 Negro students of approximately 1,000 students, has a staff of 39 teachers; 2 are Negroes. There are no teachers who have Spanish-surnames or who are Orientals. This particular junior high is the highest achieving junior high in the city. It was established in 1959. It has a large number of high ability students and the school also reports that it had experienced no faculty or parent resistance to Negro faculty members or to Negro students.

In the elementary schools that are predominantly white, one does not readily find hostile expression against Negroes or any other minority group. The principals in these schools are concerned with teachers who are subject-matter oriented rather than teachers who are discipline oriented. Without exception, they state that they would have no objection to having Negroes or other minority group representatives on their faculty provided, of course, that they were competent. One gets the feeling that these statements are made honestly and also that the teachers in these schools, whatever their race, are perhaps a bit more competent in general than the teachers in a predominantly Negro school. This would be true if for no other reason than the totally discipline oriented teacher is not regarded as being needed in these schools. The child who dresses in an outlandish fashion is tolerated, if not accepted.

and here

SECTION III

CLASSIFIED PERSONNEL

Classified personnel, generally speaking, are the non-teacher personnel employed by the school district. They would include the secretarial staff, the janitorial staff, and the many other skills needed to maintain this school district. The classified personnel are not hired through the office of the Director of Personnel as are the teachers who are certificated. Their hiring is the responsibility of the business manager of the school district and his staff. The school district has a stated policy that classified personnel are employed solely on the basis of merit. The stated policy does not contain any prohibitions against discrimination because of race, color, or national origin, but the "solely on the basis of merit" statement would certainly imply that the policy of the school district is against any discrimination based upon race, color, religion, or national origin.

In trying to determine whether or not discrimination is actually practiced in the hiring of personnel, the assigned Commissioner looks at the stated policy on hiring of new employees. He is always gratified to find a policy advocating hiring on merit only. However, the discrepancy between practices and policies can be so great that the Commissioner, in order to get a picture of what is actually done, must look at the people who are hired, rather than at a statement of policy only. In the case of the Oakland schools, a review by race of the classified personnel who had been hired does not indicate that the merit employment practice stated as policy is the controlling factor in the selection of new employees. The following table is a breakdown of the total number of people employed and the number of Negroes employed by employment categories.

	Total Number of Employees	*Number of Negroes Employed*
Clerical and Stenographic	457	10 (2.18%)
Administrative, Supervisory, and Technical	57	1 (1.75%)
Plumbers	9	0
Steamfitters	8	0
Electricians	14	0
Painters	22	0
Furniture Refinishers	3	0
General Helpers	15	0
Laborers	8	1 (12.50%)
Truck Drivers	18	0
Carpenters	42	0
Glaziers	5	0
Roofers	3	0
Locksmith	1	0
Hodcarriers	4	1 (25.00%)
Millwrights	2	0
Gardeners	47	3 (6.38%)
Stock Clerks	13	1 (7.69%)
Custodial	320	80 approx. (25.00%)
School Lunch Employees	308	75 approx. (25.00%)
TOTAL	1356	172 (12.68%)

Most of the Negroes employed in the classified section except for the custodial and school lunch departments have been recently hired and some, such as the hodcarriers, are only temporary appointments. The indications are that few Negroes working here have been hired since the investigation commenced with the above stated exceptions. In the custodial department, the date of hiring the first Negro is generally fixed as being right after World War II. This is about twenty years after the first Negro teacher was hired in 1926. The school lunch employees are for the most part part-time employees. Their work day is two or at the most three hours. Conditions, therefore, make it difficult to be selective in hiring.

Color blindness in the classified personnel section, with the exception of the custodians and school lunch employees, can better be described as color exclusion. Now that the district is becoming more aware of color and problems that are based upon it, the classified section appears to be taking affirmative steps to make certain their merit employment policy will mean just that. The classified section now states that it expects to employ Negroes in more representative numbers from now on than it has employed in the past.

One attitude which turned up in this investigation was that expressed by a top administrator in the Oakland schools was that Negroes were very difficult to find for clerical and secretarial positions. This official challenged the Fair Employment Practice Commission to find qualified Negroes as clerks and secretaries. When it was pointed out to him in return that it is the duty of the school system itself to educate and train people for these positions, he replied that he noticed that Negroes didn't particularly have the talent for doing clerical and secretarial work. This statement of a high administrative official indicates that, even in the school system, the attitudes toward minority people and what they can do may not always represent an improvement over the general public's attitude.

In another instance, in the hiring of classified personnel that occurred *after* the school began to develop an awareness of color, an applicant for a widely advertised vacancy, submitted a résumé wherein he stated as part of his qualifications that he was of English-Scotch-Irish background. This statement went unnoticed even though it was retyped and placed before the Board of Education which acted upon it officially and hired the applicant without noticing that he had given information bearing upon his race, national origin and religion. The Commissioner, in handling this case, made a special effort to talk to the Board of Education concerning the hiring of this man. The Commissioner was convinced that his race, religion, or national origin were not critical in his appointment. The Commissioner feels, however, that the degree of dedication necessary to clearly establish a merit employment practice has not yet been attained by the Oakland Unified School District, certainly not in the hiring of classified personnel.

GENERAL CONCLUSIONS

Mr. C. L. Dellums, the Fair Employment Practice Commissioner who has conducted this investigation with the assistance of the Fair Employment Practice Staff, draws some general conclusions which appear as a foreword to this report.

The first and perhaps foremost conclusion that must be drawn, is that the matter of race in the Oakland Unified School District is an important one, touching heavily upon community concern and must be reckoned with by the school board, the school administration, the schools and the teachers themselves.

Further, it must be generally concluded that the practices of the Oakland schools based upon the hiring of teachers, the promotion of teachers, the hiring of non-teacher personnel, the promotion of non-teacher personnel and the training of children for careers are of prime concern to the City of Oakland, to the State of California and to the nation.

Appendix A

OAKLAND UNIFIED SCHOOL DISTRICT
REPORT ON PERSONAL INTERVIEW WITH TEACHER APPLICANT

Date_____

Name_____ General Rating 1 1– 2t 2 2– 3
(circle one)

IMPRESSIONS:	*Out-standing*	*Above Average*	*Average*	*Below Average*	*Comments*
Knowledge of subj. matter					
Personality					
Interest and enthusiasm					
General appearance					
Voice and speech qualities					
Professional attitude					

Peculiarities _____
Reason for leaving last assignment_____
Reason for applying here_____
Limitations on assignment_____
Experience _____
Credential status _____
Best qualified to teach_____

ADDITIONAL COMMENTS:

PLEASE BE SURE TO COMPLETE THIS FORM FOR EACH APPLICANT YOU INTERVIEW

SIGNATURE_____

Source:

This is a reproduction of the form used by the Oakland Unified School District during the subjective evaluation. The form was supplied to the Commissioner by the Director of Personnel of the school district.

Appendix B

REPORT ON PROBATIONARY TEACHER

..... SCHOOL.....

(Name of Teacher)

(1st) (2nd) (3rd) Year

1. Visitations and Observations.....

2. Conferences .....

(Using the Guide for the Evaluation and Improvement of Professional Services, indicate ratings by a check for each area.*)

AREA	1	2	3	4	5
Personal Characteristics					
Teacher-Staff Relationships					
Classroom Control and Management					
Instructional and Guidance Skills					
General School Services					
Professional Prep. & Growth					
Teacher-Community Relationships					

Key _____ 1st year ------ 2nd year ═══ 3rd year

3. Points meriting commendation.....

4. Suggestions for improvement.....

Do you recommend continuation in present assignment?..... Yes No

(If "No" is checked above) Why?.....

.....

Do you recommend this teacher for regular appointment in Oakland?.....
(For third-year probationary teachers only)

I have read the above report

I have discussed this report with the teacher

....
(Teacher's Signature) (Principal's Signature)

....
(Date) (Date)

*In general, it is the standard practice of the Oakland Public Schools in using the evaluation scale that a probationary teacher must receive marks to the left of the division lines as indicated for each year of service in the Oakland Public Schools. A teacher may still be recommended for further service or tenure, however, who has not more than two marks one step to the right of the division line which applies in his particular situation, i.e., first, second, or third-year probationary status.

GUIDE FOR THE EVALUATION AND IMPROVEMENT OF PROFESSIONAL SERVICES, Oakland Public School

Appendix C

SUMMARY ON SELECTION AND RECRUITMENT SOURCE FOR 1962

In State Recruitment	
Colleges and Universities	121
Kemp Agency	1
California Teachers Association	3
Out of State Recruitment	
Colleges and Universities	84
Former Oakland Teachers	23
Selective recruitment from sources other than placement offices	22
Those who applied directly	64
TOTAL	318

Source:

Oakland Unified School District Report on Recruitment and Selection of Teachers, October 1962. This is a compilation made by the Commission from various parts of the report.

Appendix D (1)

NUMBER OF APPLICANTS

	Elementary	*Secondary*	*City College*	*Misc. (inc. adult educ., physicians nurses, administrators and special classes)*	*Total*
Fall 1962	1,052	1,579	467	227	3,325
Fall 1961	1,043	1,461	465	196	3,165
Fall 1960	1,201	922	482	256	2,861
Fall 1959	779	1,037	399	191	2,406

AVERAGE AGE AND DEGREES HELD

	Total New Teachers	*Average Age*	*Degrees B.A.*	*M.A.*	*PhD.*
Fall 1962	318				
Female	218	28	180	30	2
Male	100	32	73	31	2

28 states and 4 foreign countries are represented; 221 teachers (or 69%) are from California.

Fall 1961	295				
Female	200	30	161	36	3
Male	95	32	60	34	1

30 states, Washington, D.C., and 2 foreign countries are represented; 193 teachers (or 65%) are from California.

Fall 1960	371				
Female	261	31	229	32	0
Male	110	33	72	35	3

35 states are represented and 5 foreign countries; 190 teachers (or 51%) are from California.

Source:

This is a reproduction of page 2 of the *Report on Recruitment and Selection of Teachers, October 1962* of the Oakland Unified School District.

Appendix D (2)

NUMBER OF TEACHERS EMPLOYED

Fall 1962	Elementary	Secondary	City College	* Special Fields	Total
Female	105	71	10	32	218
Male	14	57	12	17	100
Total	119	128	22	49	318
Fall 1961					
Female	114	54	11	21	200
Male	17	60	13	5	95
Total	131	114	24	26	295
Fall 1960					
Female	164	80	12	5	261
Male	21	68	20	1	110
Total	185	148	32	6	371
Fall 1959					
Female	179	97	8	21	305
Male	18	76	14	4	112
Total	197	173	22	25	417

* Special Education for physically handicapped, mentally retarded, deaf, nurse, psychologist, psychometrist, librarian, supervisor, counselor and individual guidance.

RATE OF TEACHER TURNOVER

(Goal (B.A.H.))	*Elementary*	*Secondary*	*City College*
	12.5	10.0	10.0

Actual Percentage of Turnover

	Elementary	*Secondary*	*City College*
Fall 1962	12.1	10.6	9.0
Fall 1961	13.0	9.8	7.1
Fall 1960	14.0	10.1	9.2
Fall 1959	15.3	11.6	6.9

Source:

This is a reproduction of page 3 of the *Report on Recruitment and Selection of Teachers, October 1962* of the Oakland Unified School District.

Appendix D (3)

PERCENTAGE OF INEXPERIENCED TEACHERS EMPLOYED

Goal (B.A.H.)	25%
Actual	
Fall 1962	30.1%
Fall 1961	25.4%
Fall 1960	30.9%
Fall 1959	31.0%

YEARS OF TOTAL TEACHING EXPERIENCE—TOTAL TEACHING STAFF

Goal (B.A.H.)—*Total Teaching Experience*

	Less than 5 years	*5-9 years*	*10-14 years*	*15-19 years*	*20-24 years*	*25 years or more*
	20.0	20.0	15.0	15.0	10.0	20.0

Actual Percentage of Teachers

Fall 1962	37.7	17.9	15.6	8.7	6.6	13.5
Fall 1961	31.4	19.9	16.6	9.6	7.1	15.4
Fall 1960	36.2	19.4	14.5	9.0	6.8	14.1
Fall 1959	34.0	21.0	15.0	9.0	7.0	14.0

Source:

This is a reproduction of page 4 of the *Report on Recruitment and Selection of Teachers, October 1962* of the Oakland Unified School District.

Appendix E

PLACEMENT OF MINORITY GROUP TEACHERS

	Total Teachers	*Negro Teachers*	*Spanish-surname Teachers*	*Oriental Teachers*
Elementary Schools	1,158	164 (14%)	10 (.86%)	54 (4.7%)
Junior High Schools	643	105 (16.3%)	17 (2.6%)	12 (1.9%)
Senior High Schools	524	44 (8.4%)	8 (1.5%)	11 (2.1%)
Total	2,325	313 (13.46%)	35 (1.5%)	77 (3.3%)

	At Negro Schools	*At Caucasian Schools*	*At Mixed Schools*
Elementary—Negro	128 (78.1%)	2 (1.2%)	34 (20.7%)
Spanish Surname	3 (30%)	0	7 (70%)
Oriental	21 (38.9%)	9 (16.7%)	24 (44.4%)
Junior High—Negro	63 (60%)	3 (2.8%)	39 (37%)
Spanish Surname	3 (17.6%)	4 (23.5%)	10 (58.8%)
Oriental	7 (58.3%)	1 (8.4%)	4 (33.3%)
Senior High—Negro	18 (41%)	10 (22.7%)	16 (36.4%)
Spanish Surname	0	6 (75%)	2 (25%)
Oriental	1 (9.1%)	6 (54.5%)	4 (36.4%)
Totals			
Negro	209 (66.8%)	15 (4.8%)	89 (28.4%)
Spanish Surname	6 (17.1%)	10 (28.6%)	19 (54.3%)
Oriental	29 (37.7%)	16 (20.8%)	32 (41.6%)

Sources:

The information in these tables comes from three sources: 1) FEPC investigator's observations; 2) Equal Opportunities Committee of the Citizens' Advisory Committee on Oakland School Needs; 3) U.S. Civil Rights Commission staff report, *Public Schools, Cities in the North and West, 1963: Oakland,* by Ira Michael Heyman.

o

printed in CALIFORNIA OFFICE OF STATE PRINTING

24315—357 6-64 3M

FAIR EMPLOYMENT PRACTICE COMMISSION

San Francisco:	P.O. Box 603, 455 Golden Gate Avenue (phone UNderhill 1-8700, extension 3167)
Los Angeles:	322 West First Street (phone MAdison 0-2610)
Fresno:	2550 Mariposa Street (phone AMherst 8-7151, extension 277)
San Diego:	1350 Front Street (phone 232-4361, extension 285)

STATE OF CALIFORNIA